



# ఆంధ్రప్రదేశ్ రాజపత్రము

## THE ANDHRA PRADESH GAZETTE

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AMARAVATI, MONDAY, APRIL 18, 2022

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#### PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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#### NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

#### ENGINEER IN CHIEF(R&B)

ANDHRA PRADESH :: VIJAYAWADA.

Memo.No.6153/VC(3)/2019-1,

Dated : 01-09-2021

INTENSIVE TECHNICAL EXAMINATION BY CTE ORGANISATION OF CVC ON THE WORK OF ALLAHABAD BYPASS PROJECT CONSTRUCTION OF ROAD FROM KM 198 TO TO KM 242.708 CONSTRUCTION PACKAGE ABP-III - DISCREPANCY IN BOQ RATE - Sri N.BHASKARA MURTHY, THE THEN MANAGER (DK-I) NHAI HQ NOW ASSISTANT EXECUTIVE ENGINEER (R&B) - DEPARTMENTAL PROCEEDINGS UNDER RULE-20 OF THE ANDHRA PRADESH CIVIL SERVICES (CLASSIFICATION, CONTROL & APPEAL) RULES, 1991 - ARTICLES OF CHARGE.

1. It is proposed to hold an enquiry against Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now Assistant Executive Engineer(R&B) in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure.I). A list of documents by which, the Article of Charge is proposed to be sustained is also enclosed.(Annexure.II).

3. Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Headquarter now Assistant Executive Engineer(R&B) is informed that an inquiry will be held only, in respect of those articles of charges, as are not admitted. He is, therefore, directed to submit his written statement of defense, within 10 days from the date of receipt of this memo, specifically admitting or denying each article of charge.

4. Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now Assistant Executive Engineer(R&B) is further informed that, if he does not submit his written statement of defense on or before the date specified in Para-3 above, further action will be processed based on the material available.

5. Attention of Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now Assistant Executive Engineer(R&B) is invited to Rule-24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri N.B Murthy, the then Manager (Dk-I) NHAI Hq now Assistant Executive Engineer(R&B) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

**To,**

Sri N.Bhaskara Murthy, S/o N.Papayya,  
Lingalapadu (V), Jalumuru (M),  
Kottabommali (PO), Srikakulam District-532195.

## **ANNEXURE-I**

### **Statement of Articles of Charge framed Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now Assistant Executive Engineer(R&B) Dept.**

#### **Article:1**

That the said Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now AEE(R&B) Dept. while working as Manager(T) DK-1, HQ, after evaluation of bids by the constituted committee; had put up noting file No.11015/4-1/2K/Tech/GM/(WB) wherein approval of the competent authority for recommendations of evaluation committee were solicited and had not pointed out the discrepancy in rates quoted for item No.2.02(b) because of which an undue benefit of approximately Rs.17.42 Crore was given to the lowest bidder, however, the actual amount of over payment on this account was worked out to be Rs.13.05 Crore. As such, he has violated Rule-3(1), Rule:3(3) of APICS (Conduct) Rules, 1964.

#### **Basis of charge:**

Tenders were called from the contractors for work at "Allahabad bypass project construction of road from KM 198 to 242.708 construction package ABP-3". After opening the bid on 22-10-2003 and subsequent evaluation of the bids, the bid evaluation report was finalised and recommended by the evaluation committee for award of work to lowest bidder i.e M/s oriental structural Engineers Pvt. Ltd – M/s KMC Construction Ltd(JV).

Later, an intensive examination of above project was carried out by the Chief Technical Examiner(CTE) of Central Vigilance Commission and stated that there was a discrepancy in the rates quoted for item no 2.02(b) as in words it is written as 'Two hundred and twenty two' and in figure it is '272'. The work was awarded by taking Rs 272 per cum and financial effect for this discrepancy is Rs 17.4 Crores. By checking the copy of note sheets of Procurement of Allahabad Bypass project, it is revealed that the note for the evaluation tender of said project was put up by Sri N.Bhaskara Murthy, the then Manager(DK-I)

and made excess payment of Rs 13.10 Crores to the contractor without taking the cognizance of clause 9 of preamble to Bill quantities.

After evaluation of bids by constituted committee, the officer Sri N.Bhaskara Murthy, being the manager(T) of the concerned Technical Division at NHAI HQ had put up the noting file wherein approval of the competent authority for recommendations of evaluation committee were solicited. However at this stage while putting up the noting, the discrepancy in the rates quoted for said item was not been pointed out.

As per clause 9 of preamble to bill of Quantities, where there is a discrepancy between amounts in figurers and in words, the amounts in words will govern.

It was the responsibility of the officer to check the IPC and subsequently point out the discrepancy in the rates of said item while taking cognizance of clause 9 of preamble to BOQ.

From the above, it is evident that Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI Hq now AEE(R&B) Dept and he failed to point out this discrepancy before bid evaluation committee and never pointed out anywhere in the file which is supposed to be prime responsibility of Manager(T). This amounts to dereliction of duties on his part.

Hence, the charge.

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

## **Annexure-II**

List of Documents by which Articles of Charge framed against Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI HQ now AEE(R&B) Dept. are proposed to be sustained:

- 1) NHAI New Delhi Lr.NO. 11019/329/2001-Admn dated 06/06/2017.**
- 2) CVC, New Delhi Om NO 008/SHT/080-308929 dated 03/03/2016.**
- 3) CVO, NHAI Lr.No NHAI/13029/12/2007-Vig/UP-5/194 dated 17/12/2015.**

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

### **Annexure-III**

**List of Witnesses by whom Articles of Charge framed against  
Sri N.Bhaskara Murthy, the then Manager (Dk-I) NHAI HQ now  
AEE(R&B) Dept. are proposed to be sustained:**

**-- Nil --**

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

## **ENGINEER IN CHIEF(R&B)**

**ANDHRA PRADESH :: VIJAYAWADA.**

**Memo.No.6153/VC(3)/2019-2,**

**Dated : 01-09-2021**

Sri N.BHASKARA MURTHY, ASSISTANT EXECUTIVE ENGINEER(R&B), ZONE-I - ABSCONDING FROM DUTIES SINCE 1 1/2 DECADE - DEPARTMENTAL PROCEEDINGS UNDER RULE-20 OF THE A.P.C.S (CC&A) RULES, 1991 - ARTICLES OF CHARGES.

1. It is proposed to hold an enquiry against Sri., Sri N.Bhaskara Murthy, Assistant Executive Engineer(R&B), Zone-I in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.
2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure.I). A list of documents by which, the Article of Charge is proposed to be sustained is also enclosed.(Annexure.II).
3. Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) is informed that an inquiry will be held only, in respect of those articles of charges, as are not admitted. He is, therefore, directed to submit his written statement of defense, within 10 days from the date of receipt of this memo, specifically admitting or denying each article of charge.
4. Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) is further informed that, if he does not submit his written statement of defense on or before the date specified in Para-3 above, further action will be processed based on the material available.
5. Attention of Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) is invited to Rule-24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters

pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

**To,**

Sri N.B Murthy, S/o N.Papayya, Lingalapadu (V),  
Jalumuru (M), Kottabommali (PO), Srikakulam  
District-532195.

## **ANNEXURE-I**

### **Statement of Articles of Charge framed Sri N.Bhaskara Murthy, Assistant Executive Engineer(R&B) Department:**

#### **Article:1**

On repatriation of Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) Department from the National Highways Authority India, New Delhi in the year 2006, he was posted in the Designs & Planning Wing in the office of the Engineer-in-Chief(R&B) and accordingly, he has joined in that wing on 17-10-2006 AN. Till then, he is absconding from duties. Thus he has violated Rule-18 of AP Fundamental Rules & Subsidiary Rules, Rule-5 of AP Leave Rules, 1933 and Rule-3(1), Rule:3-B(a) of APCS (Conduct) Rules, 1964.

#### **Basis of charge:**

That the services of said Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) Department were placed at disposal of National Highways Authority of India, New Delhi vide Proceedings No.7348/Ser-IV(1)/1996, dated 06-02-2001 and he was relieved on 24-02-2001 AN. His services were utilized by the National Highways Authority of India in DK-1 Division, NHAI Head Quarters. However, on repatriation from the National Highways Authority India, New Delhi in the year 2006, he was posted in the Designs & Planning Wing in the office of the Engineer-in-Chief(R&B) and accordingly, he has joined in that wing on 17-10-2006 AN.

Since his joining in Designs & Planning wing, Sri N.B Bhaskara Murthy, Assistant Executive Engineer(R&B) Department is absconding to duties.

Hence, the charge.

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

## **Annexure-II**

**List of Documents by which Articles of Charge framed against  
Sri N.Bhaskara Murthy, Assistant Executive Engineer(R&B)  
Department are proposed to be sustained:**

**- Nil --**

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

### **Annexure-III**

**List of Witnesses by whom Articles of Charge framed against  
Sri N.B Murthy, the then Manager (Dk-I) NHAI HQ now  
AEE(R&B) Dept. are proposed to be sustained:**

**-- Nil --**

**K. VENUGOPALA REDDY,**  
*Engineer-in-Chief (R&B) Admn.*

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